CONGRESS.

SECONTED FOR THE ALEXANDRIA GAZETTE. Senste, Wednesday, December 14.

the Senate was called to order by the Vice Mr. Davis, of Miss., introduced a resolusimilting upon the floor of the Senate Lagmeet in charge of the heating enthe Capitol, whenever his duties reare his presence there. The resolution

the resolutions of Mr. Mason, of Va., hav-

hentaken up. Ir. Wade, of Ohio, said that the people the South were responsible for whatever aspiracy at the North existed against near rights. It was the result of the Chiwelke policy that prevented the free travel Northern men, and the free circulation of Republican newspapers. He separated John grown from his deed at Harper's Ferry, and fessel an ardent admiration for the man. him were the trodden-down free-state men Kansas indebted for the protection that e federal Government refused to give .sown was brave, generous, and disinterestand the admiration of all that knew him. detrusted that the South would distinguish stated sympathy for the raid at Harper's serry, and sympathy for the sublime hero asl took his life in his hand, and marched

the altar and sacrificed it there. The Republicans did not believe that the asserof the Declaration of Independence sete "glattering generalities," They beetit when it said all men were free and sual, and were entitled to life, liberty, and the pursuit of happiness. If it did not mean that the negro was entitled to liberty. ether did it mean that the negro was entided to life. Surely, gentlemen from the South would not say that. Nor did this assection of the rights of all men to liberty by gen who held slaves, affect the personal integand who here sales, and the periodial integraty of those men. Abstract principles are nequently modified in their application, by remistances peculiar to individual cases. He denounced the threats of disunion. The Inion could not be dissolved. It was a marrage for better and for worse, without divorcement. It might be made disagreeable, but a could not be broken in twain. If the Sath intended to dissolve the Union, why ell the North so, and alarm their vigilance.

serve a notice of dissolution on the North before commencing it. He saw nothing in Helper's book that might not be properly arged upon the attention of freemen.

Mr. Brown, of Miss., read a portion of Helper's book, advising the political, busicess, and social proscription of slaveholders. Mr. Wade said that those propositions sets intolerant, but he saw nothing in them

there was no law that required the South

Mr. Brown denounced the doctrines of the

hat might not be submitted to the conside-

ation of freemen.

Mr. Wade quoted the Ruffner pamphlet as ontaining similar sentiments to the Helper bok. This pamphlet was recommended by Hon. John Letcher, and the people of Vir and had since elected him Governor of Virgma. He sent to the chair and had read sters from H. R. Helper, containing copious potations from the Ruffner pamphlet. Mr Hunter, of Va., felt it his duty to say

that great injustice had been done Mr. Letche, in reading the pamphlet of Mr. Ruffner ethout an explanation. Mr. Letcher when s young man, had heard a lecture in his nathe town by Rev. Mr. Ruffner, expressing entiments that were then freely canvassed a Virginia. He asked its publication, yet when it appeared, he found he had mistook is sentiments, and at once discountenanced The matter had been discussed in the ast tighernatorial canvass of Virginia, and Mr. Letcher had declared an entire change d spinion, years since.

Mr. Wilson, of Mass., explained that Helper's book was a large work, that it had been stended to make a compend of the facts without the sentiments. That the recomaendation of Mr. Sherman was given to the ompend in advance, and that now when he ad seen the compend, he disavowed it. Mr. Sherman was certainly as much entitled to be excused as Mr. Letcher.

Mr. Clingman said that Mr. Seward had read and endorsed the original book. Was the Senator authorized to disayow the book or Mr. Seward? Mr Wilson said the Senator from New

York was absent; when he came he would doubtless answer for himself. Mr. Mallory read a portion of the speech

Mr. Biggs, describing the character of the author of the Helper book.

Mr. Wilson said that Helper had deposited with him a package of papers which showed

that when a youth he had at different times parloined from his employer small sums of money, reaching in the aggregate some three hundred dollars. No one knew this, until ouscience troubled him, and he confessed as wrong, and made restitution, principal and interest.

Mr. Chingman of N. C., said that if the Republican statement was true, Helper had heated the members of Congress who reccomended his compend; for he had promised w publish one thing, and had published

Mr. Mason, of Va., said he did not feel my interest in this matter except as a porton of the history of the times. Knowing Smater Biggs, he felt sure that if it were true, that the theft of Helper was a youthful indiscretion, and that he had made restituion, Mr. Biggs would have mentioned it .lle had read Heiper's book and had found it a vile, talse, touthless slander against the South; an attempt to array man against man and bring on an internecine war. He had been born in a slave State, where his ancestry had lived for two hundred years, and beclaimed to know the sentiments of its peoe, and he told Senators that there was no division among the people of the slave Sales. The North might refuse to obey the means of the constitution, they might stimsiste invasion, but they could never excite sension in the South. He had especiaally berved this in the case of the recent foray and Harper's Ferry. The first that the print forward in the villages at the up of the drum when it was known tat a gang of armed abolitionists had esession of the Armory at Harper's erry, were the young men who had no tares. And of all who volunteered, not one twenty was a slaveholder, and not one in es was connected with a family owning thes. If sentiments like those proposed that infamous book were made to the non | mond city, to FANNIE W. MONCURE, daughter fareholders of the South, they would be met of Judge R. C. L. Moncare of Stafford Co. become the sentiments of a traitor. Senaits had done the South great wrong in inesting that the South desired a dissolution d the Union. On the contrary, in the time the greatest peril, the question would be, there any possible mode by which the that may be preserved under the Constitu-His own honored State of Va., was ten now almost in a state of war: troops raisag in every county in the State; a portion the troops in the field; military law pre-Taling in some portions of the State. Under PIEDMONT CLASSICAL ACADEMY, Fauquier the circumstances was it wonderful that trangers should be compelled to give an

becount of themselves. That her fields do

to now show a scene of incendiarism and

bod, is owing to the loyalty of the slaves.

whether it was wise or otherwise for

ay force to protect the State, or whether

thance should be exercised towards stran-

and sustained by Northern sentiment. He declared that the amendment of Mr. Trumbull setting on foot an inquiry into an affair that took place four years ago, framed in the same words of a resolution that asked an inquiry into a recent outrage upon Va., was framed in mockery.

Mr. Chandler, of Mich., made a statement as to the origin of the Republican party; saving it was the child of Michigan.

Mr. Bigler, of Penn., opposed the amendment, and favored the resolution. He denounced John Brown, and in a lengthy speech reviewed his course as indicating that his character was that of a hardened criminal.

The question came up upon the amendment of Mr. Trumbull, for an investigation into the facts of the seizure of the Armory at Liberty, in 1856. The amendment was not agreed to, as follows—yeas 22; mays 32.

The Senators voting for the amendment were Messrs, Anthony, Bingham, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Grimes, Hamlin, Harlan, King, Simmons, Summer, Ten Eyck, Trumbull, Wade and Wilson.

Mr. Crittenden said that he had not in tended to have engaged in this debate, but after the wide range it had taken, he thought was proper that he should do so. But if he Senator from Virginia thought a vote necessary to-night, he would forbear.

Mr. Mason desired a vote unless the Senator from Kentucky lelt that another time would not suit him as well to express his Mr. Crittenden gave way, and the question coming up upon Mr. Mason's resolution, it was adopted unanimously—fifty-five

Senators voting. The Senate then at 4 o'clock, went into executive session.

House of Representatives.

Mr. McRae, of Ala., took the floor he had rielded yesterday, and referred to the candilate of the Republican party having affixed his name to a paper recommending a book which was revolutionary and incendiary in its haracter. Ought he not, then, be condemued by all conservative and national men.-Was it, reasonable that Southern men should vote for a man who had declared that he would not even hold social affiliation with Mr. Kilgore asked if he would vote for a

Republican who had never endorsed the book, or been connected with it in any way. Mr. McRae stated that he would not vote for any gentleman on that side of the House for Speaker or anything else, whether he and recommended the Helper book or not .-He held that gentlemen on that side of the House were responsible for non-organization The Republican party was the aggressive party. He argued that almost every State, at the time of the formation of the Union was slaveholding State, and that the slavehold-

ing States had formed this Government.

Mr. Curtis said it was true that at the ime of our allegiance to Great Britain slavery existed in almost every State; but at the ime of the formation of the Government two davelolding States refused to come into it suless provision was put in the Constitution bolishing the African slave trade after

Mr. McRaecontinuing, remarked that this dmission of the gentleman was in direct contradiction to the position taken by Mr Hickman the other day, and contended that this was further evidence in proof of his assertion that the Republican was the aggressive party. He then referred to resolutions which had been passed by the Legislature. of Georgia and Mississippi, maintaining that hey had the right to carry slavery into the l'erritories, and considering it a sufficient cause for withdrawing from the Union, were the South deprived of this right.

He wished to know, if the Republican party were in the ascendancy here, would they not consider it constitutional legislation to receive petitions to abolish slavery in the States where it existed? Yes; and they would even go turther. They would, had they the legislative control of this branch of dovernment, seek a repeal of the Fugitive

At the conclusion of the speech of Mr. McRae, the House proceeded to ballot for Speaker with the following result:-

For Mr. Sherman, 108; for Mr. Bocock, 86, for Mr. Gilmer, 22; for Mr. J. G. Davis, de for Mr. Clarke, of N. Y., 2; for Messrs. McQueen, Adrian, Reynolds, Briggs, Boteller, Hickman, and Haskin, one each.

Mr. Winslow, of N. C., moved that the House do now adjourn, which motion was

After some confusion and points of order, Mr. Vallandigham of Ohio, took the floor, but vielded to a motion to adjourn which was ost, yeas 96 pays 98.

Mr. Vallandigham, of Ohio, resumed the loor, and read a number of extracts from the Helper book, but soon give way to

Mr. Cox, of Ohio, who moved an adjourn The yeas and mays were demanded upon the motion, and after a motion for a call of

the House, the motion to adjourn was withdrawn. Mr. Vallandighan, of Ohio, resumed and read a circular which he had received some time ago, inviting cooperation in a private

warupon the South. He gave way to Mr. Boyce, of S. C., who said he availed himself of the opportunity given him by the gentleman from Ohio, to say that even now that war was in progress. An emmissary had just been detected and lodged in jail at Greenville in S. C., circulating these books among the free negroes.

Cries of "hang him." Mr. Boyce-they will hang him and we will hang any one who comes on that mission (applause) Mr. Boyce continued denouncing the efforts of the North to stir up

the slaves of the South. Mr. Florence, of Penn,, thought there was ense enough in the House to adjourn. He

moved to adjourn. After some confusion, the year and navs were ordered upon the motion, and the house, at 20 minutes before six o'clock adjourned.

## MARRIED.

In the Methodist Episcopal Church, in the city of Alexandria, on the 13th of December, 1859, by the Rev. Newell S. Greenaway, Mr. JO. SEPH V. HOPKINS, of Richmond, to Miss MARION F. DEARBORN, of Alexandria, Va. On the morning of the 13th iust., at the residence of the bride's father, by the Rev A. M. Ran-dolph, THOMAS J. MONCURE, esq., of Rich-

In Washington, on Tuesday morning, by the Rev. John C Smith, GEORGE C. PATTER SON. esq., to Miss JULIA B. BELT, both of Moutgomery county, Maryland.

## DIED.

At Lancaster, Massachusetts, on the 12th ult., Mrs. ABBY SHALER STILLWELL, aged 72, only sister of the late Wg. Shaler, former Consul General at Algiers, and of Capt. Nathaniel Shaler, the brave privateer commander in the was of 1812-'15.

County, Virginia.

THE duties of this School will be resumed on Monday, 2d January, 1860, Its successful operation for six years, (under its present Principal, Rev. F. M. Edwards,) is the best guarantee of future usefulness. The expenses of a student restors from Northern States might ques- for board and tuition does not exceed \$160 for ten months. Peculiar advantages afforded for preparation for College, or for business life Cat-alogues and Circulars forwarded to any address. te Governor of Virginia to assemble a mil-F. M. EDWARDS. on application to F. M. EDWARDS.
Piedmont Station, Manassas Gap Railroad.

Fauquier county, dec 15-colm

the but to understand the matter, they to be on the spot, and among an indig-50 BELS. PRIME MERCER POTATOES. tact and excited population threatened with just received from Nova Scotia, for sale by a lavasion, supported by Northern money FOWLE & CO.

LOCAL ITEMS

MEETING OF MERCHANTS AND OTHER CI-IZENS AT THE CORN EXCHANGE YESTERDAY. -Notwithstanding the very inclement state of the weather and the short notice given of the action of the merchants in meeting assembled, on Monday last, a large number of merchants, mechanics, tradesmen and other citizens assembled at the Corn Exchange vesterday, at 12 o'clock, for the purpose of receiving the report of the committee appointed at the meeting on Monday, to draft resolutions, and to give expression to their opinions in reference to the present state of affairs in the country; also to take action in regard to the better protection and greater encouragement of Home Manufactures, and to induce the cities of Virginia to engage in direct importation. In the absence of the Chairman, M. Y.

Partlow, Col. C. F. Suttle was called to preide, L. E. Green acting as Secretary. Geo. D. Fowie, from the Committee on redutions, then, for the benefit of those who were not present at the former meeting, explained the object of this assemblage of the

itizens, and made the following report.

Whereas the experience of all nations, in all iges has shown that the prosperity of a people epends upon the diversity of its pursuits and the employment of its industry in the varied works f agriculture, manufacture and commerce, and whereas, it is equally well established that no people can be successful, prosperous and independent, who mainly rely upon the production of the soil in the raw material, leaving to others the conversion of it into manufactured articles, and leaving to others at the same time the profits of eign nations and whereas the lessons of history, past and present show, that those nations are most cosperous and independent, who bring the proucer and consumer into the closest contact by creating a home market as well for its agricult ral products and its necessary manufactured artis, thus supporting and supplying each otherand whereas it has unfortunately heretofore been the policy of the people and government of this Commonwealth, to depend almost exclusively upon other States not only for articles manufactured beyond its limits, but upon the importers of other States for their supplies of goods imported from

nate inheritance of our own citizens. And whereas, the events transpiring around us should impress deeply our Legislative assembly with the importance of establishing such a policy as will speedily increase our foreign commerce, and build up our manufacturing interests as the surest means of making Virginia what she ought to be, a flourishing and independent State; there-

oreign countries, thus throwing into the hands of

others beyond our limits the rich results of these

profitable occupations which should be the legiti-

Resolved by the citizens of Alexandria, That we look with confidence to the present session of the General Assembly for the adoption of such neasures, by legislative enactments, as in their wisdom they shall deem best, as shall inaugurate a system which shall toster and encourage the manufactures and commerce of our own State, ssist to sustain us against the competition of others, and thus render our people independent in some measure of outside, if not antagonistic in-

Resolved, That in fostering and encouraging he commercial interests of the scaports of the Commonwealth as centers of trade for all its diferent sections, the best interests of the State will be subserved, by building up and enlarging a commerce which shall retain within its limits the profits which have heretefore been accumulated in her cities, with which we have no common inter-

est or sympathy.

Resolved, That we have a right to expect, that our fellow citizens of the interior, who look to our scaports as the markets for their products, will id us by their countenance and encouragement, to naugurate a system of foreign commerce, which will enable us by importing into Virginia direct. from foreign ports, their necessary supplies, to shi the rich products of the State, without the inter-vention of Northern cities, and by these means in due season, we shall be able to supply the mer chants of the interior upon as good terms as the merchants of other cities, who neither aid us in age us in the establishment of our commerce of manufactures.

Resolved. That the system of internal improve ments, so wisely adopted, and so liberally sustain ed, by successive sessions of the General Assem bly, has by bringing the various sections of our wide ty extended territory into nearer relations, and fore cordial acquaintance with each other, done much to promote a common interest, and will tend more and more to make us a compact, united and

homogeneous people.

Resolved, That this system of internal improve ents should receive from the General Assembly at its present session, liberal appropriations to its benincent results when completed, for a full re numeration to the people, of its entire cost. Resolved, That the spirit of fanaticism now orevailing in the Northern States of the Union, threatening as it does to overpower the conservative sentiment of that section, and to prostrat the constitutional bulwalks crected by our fathers to protect the rights and preserve the peace of the uthern section of our confederacy, impose upon is the science duty of protecting those rights, and of maintaining that peace, "peaceably if we can

forcibly if we must." Resolved, That the experience of the past few years, and more especially the recent execrable outrage committed in our Commonwealth, admonsh us, that unless there is a speedy and decided change in the disposition of the Northern States to interfere with our peculiar constitutional rights. we cannot expect those rights to be respected or to enjoy that peace in the Union which are guar

inteed to us under the Constitution.

Resolved, That we tender our thanks to the tate and Federal authorities for the prompt and efficient manner in which they have acted in nelling the recent disturbance at Harper's Ferry. Resolved. That masmuch as we have been reseatedly assured of the existence of a large conervative majority at the North, which is still oyal to the Union and the Constitution, we have right to expect from it in this crisis such sentiaents and in lion as the necessity of the times equire, or to believe that no such majority exists. tosofved. That while we devoutly acknowledg the many biessings, which under Providence, we iave unjoyed in the confederacy, we would deeply

deplore the necessity of dissolving it; we neverthe ess prefer disunion to dishonor.

Resolved, That these proceedings be published n the papers of Alexandria, Washington, and

W. H. Fowle seconded the resolutions .-He endorsed every word in them. There was not an i to dot or a t to cross-not a word that he would have changed. He thought it was time for the South to be acting. This sore, which was continually irritating and festering, should be healed or eradicated. He had no faith in the professions sent out from the North.

hearing the sentiments of a portion of the scople of Philadelphia, and they were in diect conflict with what was published, and sent forth all over the South as the sentiments of the people of that place. To hear such assertions as he had heard expressed there, was enough to excite any Southern man. The men whose pockets are effected by Southern trade are very loyal in their meetings to the Union, but those who were in no wise thus affected atter very different sentiments, and either ignorantly or wilfully made misstatements concerning the Sout The meetings lately held in Boston and Philadelphia, were composed in great part of those who were pecuniarily affected by an alienation of the South. If all the professions of these gentlemen, who hold meetings and adopt loud sounding resolutions in favor of Union and peace were sincere, why did they send "Republican" delegations to Congress? They pretended to be great friends of the South, yet a Southern man was not allowed to travel at the North with his slave -his own property. New York, Philadelphia and Boston, notwith-tanding their great inion Meetings, send Black Republicans to Congress. He did not doubt that there were many good men at the North, who attended these meetings from a desire to see agitation put down, the rights of the South upheld,

and the Union preserved, but the acts

of the people showed that a majority favored

lieve that the Union was to be dissolved, nor would be be for a dissolution until every expedient had been exhausted, and he be lieved that the affair of John Brown and his hand full of mad followers at Harper's Ferry, was to be the means of calling out the conservative sentiment of the country, putting down abolitionism and its kindred anaticism, and binding this Union with chords so strong that no power on earth could separate it. Mr. Fowle was frequently applauded during the delivery of his re-

Turner Dixon moved to amend the resolutions by striking out from the first, the words "outside if not." These resolutions were directed against the North, and he wanted the meeting to come squarely up and express exactly what they meant. considered the North antagonistic, and he wanted the meeting to say so. The amendment was adopted. Mr. Dixon then moved that the report of

the committee be adopted. T. W. Ashby suggested that the meeting should adjourn until Thursday evening, as every citizen would like to participate in

A. W. Gray was opposed to the meeting adjourning without taking action, and moved to insert in the preamble "Merchants and citizens." The citizens could have a ratification meeting on Thursday, if they thought

I. Kell favored an adjournment till Thursday, as there were hundreds not present who would like to attend the meeting.

W. H. Fowle, in consideration of the sug gestions thrown out by gentlemen who favored an adjournment, and as he thought it proper that every man in the city should be allowed the privilege of giving expression to his opinions on this subject, seconded the motion for an adjournment till to-night .-He said that the man who would not endorse the resolutions offered by the committee, had no Southern heart in him, and he did not believe that there was a man in Alexandria who would not fully concur in the report of the Committee.

T. W. Ashby favored the adjournment, because he wanted the merchants, mechanics, and all who participated in the proceedings of this meeting to be backed by the community. It was idle to be passing resolutions, and then not abiding by them. This had been too much the practice in Virginia and the South-to such an extent had it been carried that it was a reproach and a bye-word. He was for action, not words. He wanted the community to have an opportunity to speak out on the subject, and that these re solutions go to the world as the expression of the sentiments of the whole people of Al-

Turner Dixon withdrew his motion for the adoption of the report, and on motion of W H. Fowle, the report was re-committed, and the Committee instructed to publish a call for a meeting to night, of the citizens. The call will be found in another column of today's Gazette.

AN IMPORTANT DECISION .- At the recent erm of the Circuit Court for this County, Judge Tyler delivered his opinion in the case of Smith & Peters vs. J. H. Lathrop. The case was deemed an important one, in volving, as it did, the effect of a judgment rendered by the Courts of New York against one of several partners, or joint debtors, who had not been served with poscess. The facts of the case had been agreed by the parties, and the questions of law were argued in writing by Messrs. Brent & Kinzer, for the plaintiffs, and Messrs. R. E. Scott and Sam'l. Chilton for the defendant. The Court was of opinion that the plaintiffs could maintain their action, and gave judgment for the plaintiffs, for the whole amount claimed in their declaration. We learn that the defendant will carry the case to the Court of Appeals. The following are the agreed facts, and

opinion of Judge Tyler: Agreed Facts. The plaintiffs, before the commencement of this action, recovered judgment in the Superior Court of Buffalo, Eric County, New lork, on each of the several causes of action set it in their declaration, except as to the sum of five hundred and ninety-three dollars and twelve ents, which is part of the sum of \$5,250.88, mentioned in the indebitatus count, against the defendants, Solon H. Lathrop, Jededinh H. Lathrop, and Calvin F. J. Thomas, as copartners in busi ness, in Buffalo, in the State of New York, under he firm name and style of Thomas & Lathrops. in their complaint in that case, they averred the lefendants to be copartners in business, at Buffalo, under the firm name and style of Thomas & La hrops; and that the notes in said complaint men d, were made by them in their copartnership name and firm. Not having obtained satisfaction of that judgment, and the defendant, Jedediah H. Lathrop, not having been served with process in that case, and not appearing to the action—being t that time a citizen of the State of Virginia, re oding in the county of Alexandria—the plaintiffs

anght their present action. the proceedings and judgment in the aforesaid suit at Buffalo, is truly set out in the exemplified judgment roll, from the Clerk's Office of said Court, which is hereto annexed, as a part f this case.

The law of the State of New York, under which said judgment was obtained, is truly set out in the recent Code of Practice for the Courts of Nev York, which, it is agreed, may be referred to as a part of this case; and it is agreed that the adjudientions found in the judicial reports of that State, may be referred to, to explain the construction and fleet of the aforesaid law, and of the judgment foresaid, as expounded and enforced by the Courts

that State. Upon the foregoing statement of facts, it igreed by the respective parties in this case, t domit it to the Court, whether, notwithstanding the judgment already obtained, the plaintiffs car meintain this action on the same notes, admitting that all the defendants in this action were partners a the said firm, when the notes were made If the Court shall be of opinion that the plain

iffs cannot sustain this action upon the notes doresaid, then judgment is to be entered against he defendant, Jedediah H. Lathrop, for the sum f six hundred and sixty-nine dollars and twenty hree cents, with interest on \$595.12, part thereo from the 21st day of May, 1850, at the rate of six ser centum per annum, till paid, and the costs, But if the Court should be of opinion that the laintiffs can maintain this action on the notes aforesaid, notwithstanding the judgment afore said, then judgment should be entered for the plaintiffs, against the said defendents, for the sum of \$6,214.38, with interest, at the rate of six per entum per annum, on \$5,250,88, part thereof, from he 21st day of May, 1859, till paid, and the cost

f this action.

Judge Tyler's Opinion.—The question in the He had had an opportunity recently of case is, whether the judgment rendered in the State of New York, by virtue of the proceedings had pursuant to a statute of the State of Nov York, is a merger of the original cause of action judgment at common law of a court of record competent jurisdiction, is a merger of the origin al cause of action. The cause of action is change into a matter of record, which is of a higher na ture, and the interior remedy is merged into the ligher. And this is equally true of a judgment at ommon law, though there be several parties to the contract—if the contract be joint—because here being but one cause of action at commo aw on a joint contract—when that cause of on, transit in cem judicatum, it is merged; but a statute may abrogate the common law, so as give several enuses of action against each of the parties to a joint contract, and in such case a judg ment against one is not a merger, except as to him r. a statute may abrogate the common law, so a to give several causes of action on joint contract in certain events or contingencies. Such is on statute in reference to joint contracts, when on the death of one of the co-obligors in a joint contract the contract, by virtue of the statute, becomes sev eral, and two causes of action are originated b the statute, when before only one existed; and after the death of the co-oldigor, a judgmen against the survivor is not a merger of the origi nal cause of action against the personal representation tatives of the deceased co-obligor. So in the case under consideration, when by the statute of New York, one of the joint debtors is sued and served with process, and the other not, judgment is to be entered against both; but the execution against the one served with process may be against the

body or sole property; but against the one not

served with process, execution is only to go against

the social assets of the partners or joint debtors

Black Republicanism." He would not be Here, then, by the operation of the statute, the

contract is severed, as the recovery, in fact, is different against the parties to the joint contract, which could not be the case with a common law judgment. And if the original cause of action is merged, by the judgment against the party nor served with process, then the higher security is merged in the lower-because on the original contract he was bound individually, as well as partper, and by the judgment the social assets are alone responsible. I agree, therefore, entirely with the ow taken by Bronson, Judge, in the case cited counsel. But, further, a judgment, in order to Corn Meal, & bushel. work an estoppel, must be obtained inter-parter, for, according to the maxim of law, "res inter alios ta alteri nocese non debet," a judgment cannot be used to fix liability on one who is neither a party or privy to it; who has had no opportunity to oss examine the witnesses called upon the trial, r to dispute the conclusions drawn from the evi dence there offered. And the Court of New York having no jurisdiction to pronounce judgment against J. H. Lathrop, who was never served with process, the error committed for want of jurisdic in is examinable in a collateral prowhere the judgment is relied on; so that the judgment obtained by the anomalous proceedings, in-tituted pursuant to the provisions of the N. York statute, having none of the qualities of a common law judgment, the principles of the common law cannot be invoked to render it conclusive. The statute, then, of New York having authorized a proceeding by which judgment was obtained as well against parties to joint contracts not served with process, as against those served with process the indement he void as to the party not serve with process, it surely cannot, on the principle a joint judgment at common law, be valid as t the other parties. I had supposed that a Court this State would always look to the record of the polyment, to see whether the Court, foreign or mestic, had jurisdiction of the matter, and think the principle of law stated in Davey vs. Ke chum, H Howard, by Judge Catron, is the correct orinciple. I am, therefore, of opinion, that the indigment rendered in New York, did not merge the original cause of action, and that judgment be entered according to the case agreed.

MIDDLEBURG ITEMS.—PROTRACTED MEET No .-- A protracted meeting was commenced in the M. E. Church, at Middleburg, Va., on Sunday last-it is the intention to continue the meeting during the week.

Young Men's Christian Association. A meeting of this association will be held on next Thursday evening, at 3 o'clock, in the Presbyterian Lecture Room. As busi ness of importance will be presented for the consideration of the Association, all the embers are requested to attend. It gives tion have under consideration the erection of a suitable hall to hold their meetings in, and to be used as a Reading Room for the use of the public. One of the members has subscribed \$500 towards the erection of the Hall and the purchase of a Library.

THE LYCEUM. This organization met re stitution. The officers elect took their respective places at last meeting, viz: Dr. J. Mount, President; Mart M. Rogers, Vice President: T. T. Carter, Treasurer; S. H. Baker, Secretary.
VOLUNTEER COMPANY,—A large and en-

thusiastic meeting of this Company was held at the Beverige House on last Saturday evening, when the following Committees were appointed, viz: Committee on Uniform, said Committee to

suggest an appropriate name for the Company and recommend material of Virginia nanufacture for the uniform. Committee on Constitution and by laws to report at next meeting.

Committee to solicit contributions, to defray the incidental expenses of the Company. Committee of arrangements for Oyster Dr. J. C. K. Crook, tendered Lis resigna-

tion as Quarter Master's Sergeant, stating his desire to occupy a place in the ranks. B. P. Noland, esq., was elected to fill the vacancy On motion it was determined to meet eve Wednesday and Saturday evening at 3 clock, (for drill, &c.,) till further notice. General Rogers having received the comthe various officers.

THE CLOSE OF THE RIFLEMEN'S FAIR .- The Fair of the Alexandria Rifleman was continued last night with an auction sale of the articles remaining on hand. The crowd was excellent, the bidding spirited, and the evening passed off most pleasantly. The Gazette Office was not forgotten by the Ladies in charge, and we have to express our thanks for a tray full of refreshments that came last night "just in the nick o'time," to ren der more light the night's toil that makes the morning's news. The Fair will close tonight, and we need not remind those attending the Liberty Hall meeting, that the la dies will have a nice supper in waiting be-

VOLUNTEER COMPANY AT BRANDY STA-TION .- At Brandy Station, Culpeper County, there has been a rifle company organized, which through the energy of its members, and zeal of its officers, may be classed among the first volunteer companies recently organized in the State. Having procured arms of the best kind from the Governor, it is the intention of the company to have a regular day set apart for target practice. The best shot will be remunerated with a premium. The following are the officers of the company: Captain, Charles Wager; 1st Lieutenant, Stockton Heath; 2d Lieutenaut, J. S. Wei-

THE NEW YORK SCREW STEAMSHIP LINE By reference to our advertising columns, it will be seen that the steamer "Parkersburg" of the New York and Virginia Screw Steamship Line, will leave this place for New York, on Saturday evening next, at 4 'clock. The "Parkersburg" is placed upon the line until the new steamer is ready to take her place upon the route. We understand that next week the regular semi-weekly trips of the Company's fine steamers Monticelle and Mount Vertion will commence.

THE CAVALRY COMPANY .- The meeting held last evening, at the Office of the Poto mac Insurance Company, to organize a new Cavalry Company, took no action in the mat ter, but adjourned to meet at the Old Court Room, in the Market House, on Monday evening next, at 74 o'clock.

THE STEAMER MOUNT VERNON sailed yes terday morning, at 9 o'clock, for New York. She took out a very full freight and the following passengers: F. C. Miller, J. G. Stoffer and daughter, Geo. W. Coleman, John T. Baker, Edward C. Barnan, John P. Claggett, and Rev. O. C. Dickerson. A Convict.—The seaman, Joseph Riley

convicted of the murder of his shipmate, Wm. King, and sentenced at the last term of the Circuit Court, to eight years' imprisonment in the Penitentiary, was taken to Richmond vesterday, to undergo his sentence MILITARY .- The members of the Friend ship Fire Company, are about to unite with

some persons not connected with the Fire Department, in the organization of a new Military Company. A preliminary meet ing on the subject, was held at the Friend ship Engine House, a few evenings since. Genene al Washington died on the 14th

day of December, 1799-just sixty years vesterday. The General got wet riding out in just such weather as we have had for a WANTED,—Wanted, immediately, a TEACH

YV ER. (cither married or single.) to take charge of a private Select School, on the farm and at the residence of the subscriber, in Londonn Co., Va. The applicant must be connectent to teach ich, Latin, and the higher branches of M: the unities. I do not desire an application from any Northeener. Address the subscriber at Mount Northeener. Addition Co., Va. Gilead. Londonn Co., Va. JOHN ALDRIDGE

COMMERCIAL. (S. (YESTERDAY)
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(0.80 @ 0.80 PRICES OF PRODUCE IN ALEXANDRIA. Do Family ... Do Red ..... Do Mixed Do Yellow .. OATS ..... CLOVER SEED, (retail) TIMOTHY SEED ...... FLAXSEED .... Sunac, p hundred. PLASTER, Lump, retail, delivered HEAVO .. ...... 1 75 (a) Do Ground Alum...... ..... 0 14 (cs. 0 12½ (ds. Витгев, Roll, 🔁 В...... Firkin..... PORK. .... 1 30 (a) 1 40 WHITE BEANS REMARKS.-In Flour, there was not much

eing, and prices remain unchanged. and good, and 120 a 124c, for do, red. These prices show an advance, and the market very firm. About 5,000 bushels changed hands. Corn is improving, and we note sales of new white reported which may be anoted at 8000 82c. Rye in good demand and fair supply, and sales were made at 77 (a 80c. We hear of nothing worthy of note in Oats. There were no sales reported. Pork is quiet, and but very little coming in. There is no change in quotations for other articles

BALTORORE, Dec. 14 .- Flour closed with a delining tendency; Howard street \$5.25. Wheat closed firm, and at the former rates; sales of 10,000 bushels. Corn closed buoyant; white 70@72c.; yellow 76(a75c. Provisions closed steady; mess

NEW YORK, December 14 .- Cotton closed firm sales of 12,000 bales. Flour closed firm; sales of 14,500 bbls; State \$5.05@\$5.10; Ohio \$5.60@ me much pleasure to hear that the Associa-tion have under consideration the erection of duil; sales of 3000 bush; Southern red 135. Corn closed firm and scarce; sales of 13,500 bush,; new white 88@90c.; yellow 90c. Pork is heavy; mess \$16.1260 \$16.25 Lard closed firm at 102 (at 11c; and choice at 11½(6)11½c. Whiskey is held a 27½(4)28c. Molasses closed firm at 50(6)51c.— Spilits of Turpentine firm at 441(a)45. closed firm at 155. Rice closed steady at 31(4,41c. cently and determined on upolding the in- Stocks opened firm, but closed weak; Mo. 6's 837

Fredericksburg Market, December 13.							
2 ) Family \$7	50	(4)	88	0			
City Mills, extra	00	(4	6	5			
3 ) do do superfine 5	20	64		7			
Wheat, white, (new) 1	20	(et	- 1				
Wheat, red, (new) 1	05	(0)	1	1			
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	35	(a)	0	1			

Philadelphia Cattle Market, December 13. Beef Cattle, -- Receipts this week 2,000 head; narket active and prices show an advance of our pt 100 fbs. on the rates of last work; sales were made at \$5@\$9 P 100 fbs., as to quality. Cows sold at \$10 to \$60 each, according to quality. Sheep About 5,000 head offered; sales at 7(49%. P fb. Hogs- Receipts 6,000 head; sales are making at \$6.50(6\$7.50 2 100 fbs. net, as to quality.

New York, December 12 .- Sales of stocks have been light at receding prices, though none of them seem to be affected by the discussions in Congress about a dissolution of the Union.

The receipts from customs yesterday were \$245,

The export of specie from this port since Monday last, unnounted to about \$900,000, whilst the receipts were about \$462,000. The weekly Bank statement shows the follow ing results: Loans \$122,925,408, an increase of 88,374; specie \$19,750,535, a decrease of \$296, missions, they were placed in the hands of 132; circulation \$8,481,486, an increase of \$82,-667; undrawn depositor \$76,571,427, an increase of

> THE SUGAR markount Havana at last dates was quiet, there being an absence of business for want The market closed with a better feeling at 9½ rials for No. 12, light qualities. Molasses was in but little inquiry, and prices were weak. Stock of Sugars 33,500 boxes. Freights were dull and vessels were leaving for the Gulf ports.

seven 'Pl cent.

LARGE SALES OF COTTON .- The sales of cotton in New Orleans for the four days ending the 1st instant, amounted to 73,000 bales, averaging over \$55 a bale, and making the amount of the trans actions of the four days, over four millions of dol lars a million of dollars a day

Freights at Chincha Island, on the 10th of No vember, were \$15 to Hampton Roads, \$16 to Ha vana, and £3 to Europe.

ALMANAC

DECEMBER.		8 U N	MOON'S PHASES.
15 Thursday	7 21	4 39	D. H. W.
17 Saturday	7 21	4 39	Lastqr16 4 12 K. New24 12 40 M.
18 Sanday	7 21	4 39	First qr., 1 5 42 m. Full 8 10 14 m.
20 Tuesday	7 21	4 39	HIGH WATER.
21 Wednesday	7 20	4 40	DECEMBER 15, 11h. 4m.

MARINE LIST. PORT OF ALEXANDRIA-DECEMBER 14.

ARRIVED. Sehr, Eugenia, Jones, Baltimore, salt to J. N. Harper & Co. Schr. Eliza Pharo, Cranmer, New York, to T Mehaffey. chr. James House, Sprague, Wareham, to Bor den Mining Co. Schr. A. Heaton, Ryon, New York, to T. J. Me

SAILED. Steamship Mount Vernon, Smith, New York, hy Fowle & C Schr, John Warren, Lozier, Dighton, by Bor den Mining Co. Schr. Ailen H. Brown, Edwards, Dighton, by Borden Mining Co. Schr. Angeline Vanclief, Lemmon, New York by T. J. Mehalley. Schr. Rodella Blew, Peterson, Devenport, by Schr. Minnesota, Baker, Boston, by D. B.

MENORANDA. Schr. J. Williamson, Winsmore, cl'd at New fork, for this port, 12th inst. Schr. Susan E. Jayne, Jayne, hence at New Sehr, V. Sharp, Sharp, from Richmond, arrived

t New York, Lith inst. Schr. Elite, Saunders, hence at Richmond, 13th Schr. Federal Hill, Hawkins, el'd at Baltimore or Georgetown, 14th inst. Sehr. A. G. Brooks, Buckley, cl'd at Portland or this port, 10th inst. Schr. Hampton, Eddens, from Fredericksburg, arrived at Portland, 11th inst.

Sehr, Benj. Baker, Higgins, from the Rappa

## The ration of the ration CANAL COMMERCE.

hannock, arrived at Portland, 12th inst.

ARRIVED, December 14.
Boats M. O. Shea, J. J. Wutson, Eugene, and Rench, coal to T. J. Mehaffey. Bonts Ambition, and Wm. R. Chaplin, coal merican Coal Co. Boat D. W. McClary, coal to Borden Mining Co. Boats Juniata, and Minnie Slack, coal to Frost burg Coal Co.

UCTION SALES AT NO. 88 KING ST.,

OF USEFUL AND FANCY ARTICLES. JOHN T. CREIGHTON, Auctioneer, informs the public that he is having regular EVENING SALES, at his Store, No. 88 King street, commeneing at 7 o'clock. He is now offering a great variety of goods suited to the Christmas times, such as Jewelry, Jowelry Boxes, China and Woodon Toys, Fancy Soans, Table and Pocket Cutlery. Seissors, Enzors, Shaving Cases, &c. The above can also be had at private sale during the day. Shopkeepers supplied at low rates. dec 14

DRY COWS, Persons having DRY COWS of tor sale, by leaving their names at Mr. hatham's Stable, may meet with a purchaser. M. MASON Rose Hill, Fairfax County, Va., dec 13-dtJanl BY MAGNETIC TELEGRAPH

Arrival of the Tennessee.

New ORLEANS, Dec. 13 .- The steamer Tennessee, from Vera Cruz, is below, having

Mr. McLane, the American Minister, was on board the sloop-of-war Brooklyn. Senor Fuerte had left the Juarez Cabinet. and Senor Ocampo had resumed the portifo lio of foreign relations.

Miramon was at Gaudalaiata with Mar quez. Gen. Degollado, Liberal, had evacuated San Luis Potosi, which was occupied by Gens. Woll and Cobes. (Reactionists.) The Reactionists have taken possession of the Isthmus of Tehauntepec, and seized a large quantity of arms.

The Tehauntepec steamer Suchil had been ost at Alvarado.

From Charlestown.

CHARLESTOWN, Va., Dec. 14.—Extensive preparations are making for approaching executions. Nineteen companies of military ket closed dail at \$5.25 for Superfine. Wheat was are now on duty, and guards are stationed at active, with sales of white at 130 (g/135c, for fair every street corner and cross road. Picket guards patrol the surrounding country, and six more companies are announced as on their way here. The citizens find difficulty in at 75ta 76c, by weight. There were no sales of old | passing from one part of the town to another. They are brought to a halt and marched to the guard house, if unable to give the countersign.

Green and Copland will be hung at eleven o'cleck in the morning, and Cook and Coppie at three in the afternoon. All those men are composed and look calmly on their approaching doom. Their bodies will be given to their friends, if claimed.

The town is quiet and unexcited by rumors. Military discipline is kept up, however, as if it were encompassed by a besieging army. The people look forward with great pleasure to exemption from military surveillage, and when the civil Government is restored there will be quite a jubilee.

Appointments and Confirmations.

WASHINGTON, Dec. 14.—The Senate, in executive session this evening, confirmed the

lent of the United States: John Heart, of South Carolina, to be Superintendent of the Public Printing, vice ico. W. Bowman, of Penn., resigned. Amasa J. Parker, of New York, to be District Attorney of the southern district of New York, vice Theodore Sedgwick, dec'd

The Ratified Treaty.

NEW ORIEANS, Dec. 14 .- Vera Cruz dates of the 10th inst., say that the Spanish sloop Brooklyn, is expected to leave for this port shortly, bearing the ratified treaty with the Mexican Government. This news is stated

Chicago, Alton and St. Louis Railroad.

CHICAGO, Dec, 13 .- Messrs. Jas. Robb

and Charles Congdon to-day obtained full possession of the Chicago, Alton, and St. Louis Railroad, for the benefit of the bond

Municipal Elections. Boston, Dec. 13 .- Theodore Otis, republican, was elected Mayor of Roxbury yesterday, by 247 plurality. In Charlestown, James Dana, citizens' 764; total amount in the Subtreasury \$6,099,059.

candidate, was chosen Mayor by 256 plu-MANCHESTER, N. H., Dec. 13.-Edward W. Harrington, citizens' candidate was elected Mayor to-day, receiving 1,335 votes, against 1,303 for B. P. Cilley, republican.

Fire at Newark, N. J. NEWARK, Dec. 13 .- The cloth factory of Wm. McMurtry, late Halsey & Robles, in

this city, was set on fire this morning and partially destroyed. Loss \$5000; insured for \$3,500, principally in New York companies.

Deputy Secretary of State. ALBANY, Dec. 13,-Joseph C. Tucker was vesterday appointed Deputy Secretary of State, in place of Samuel M. Morton, resign-

BY LAST NIGHT'S MAILS.

Advices from Port an Prince, Hayti, to the end of October, published in the Havana papers, state that a very violent hurricane pass ed over the southern coast of the island, ex 1859 tending to Jeremie, where it had destroyed more than sixty houses. Two coasting schoone s were wrecked in the bay of Jeremie, and several other vessels were dashed upon the coast. It was supposed that a number of other craft had been wrecked, from the fact that a great many dead bodies had been washed ashore.

> The Baltimore and Ohio Railroad Company held its regular monthly meeting in Baltimore, yesterday morning. The total revenue for the month of November last was \$431,287 56, being an increase upon the revenue of November 1858 of \$50,407 81.

We have Yucatan advices dated at Sisal on the 1st of December. The pacification of the peninsula was not so complete as lately reported, and the authorities still lived in dread of the Indians. Some military revolutionists had been pardoned. A severe norther had done some damage to shipping on the coast.

Late advices from Venezuelz state that a decree has been issued by the government, raising the siege of Coro, from the coast of Cumarebo to the district of Maracaibo.

We have news from Havana to the 10th instant. Sugar was scarce in the market, and there was trade in consequence, but rates had not changed. Molasses was at three shillings per keg. Don Eugenio Vinas, a daring but very lucky slave trader, had landed about eight hundred Africans. ien. Concha was preparing to leave the island with his family.

A fire broke out in Williamsburg, on Saturday night, the 10th instant, which consumed the old Raleigh Tavern, Vert & Co's. dry goods store, and did other damage.

The Wood New York Democratic State Committee met at Albany on the 13th instant. A series of resolutions denouncing Collector Schell, Postmaster Fowler, Surveyor Hart and Marshal Ryu ders, for their course in the recent municipal eletion in New York city, were laid over for a future meeting, by a vote of four to three.

FOR NEW YORK THE NEW YORK AND VIRGINIA SCREW STEAMSHIP COMPANY'S

New and Elegant Steamer PARKERSBURG, Will leave the Company's depot, on SATURDAY, 17th December, at 4 o'clock, P. M. N. B .- Shippers will please note that this is the only direct line of Steamers between this port and New York.

Freight received every day at the Company's

Depot, and forwarded free of commission. Insurance on Goods shipped by this Line, can be effected, if desired, at a premium. For freight or passage, having unsurpassed ac

commodations, apply to FOWLE & CO., Alexandria. H. B. CROMWELL & CO... corner of West and Albany streets, New York. dec 15 -31 REMOVAL

chate.

DDISON, WALLACE & CO., have removed A from 13, Union street, to 28, King street, (opposite Knox & Brothers,) where they will continue to keep always on hand a large and well selected stock of FARMING IMPLEMENTS, SEEDS, and GUANOS, to all of which they invite the at-

tention of Farmers and others wishing to pur-